


REMARKS/ARGUMENTS

Claims 1-7, 9-16 and 18-22 are pending in the present application. The Examiner provisionally rejected all of the pending claims under the judicially created doctrine of obviousness-type double patent as being unpatentable over claims 29-37 of copending Application No. 10/273,730. Applicants respond as follows.

Section 804.I.B of the MPEP, on page 800-19, states the following: "If the 'provisional' double patenting rejection in one application is the only rejection remaining in that application, the examiner should then withdraw that rejection and permit the application to issue as a patent, thereby converting the 'provisional' double patenting rejection in the other application(s) into a double patenting rejection at the time the one application issues as a patent." Therefore, Applicants believe the rejection of the pending claims in the present application should be withdrawn.

For these reasons, Applicants believe the present application now stands in condition for allowance. Early notification thereof is respectfully requested.

Respectfully submitted,


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